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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/100,129	06/19/1998	PAUL HAVERSTOCK	23452-034	8225

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EXAMINER

KANG, PAUL H

ART UNIT	PAPER NUMBER
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2142

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DATE MAILED: 03/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/100,129

Applicant(s)

HAVERSTOCK ET AL.

Examiner

Paul H Kang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 1998 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-4, 8-11, 15-19, 21-24 and 26-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Flores et al., US Pat. No. 6,073,109.

3. As to claims 1, 8, 15 and 21, Flores teaches a server system, a method and electronic storage medium facilitating one or more object management tasks, of a server, associated with one or more non-markup language objects (col. 1, line 11 – col. 2, line 14), the system comprising:

*a server* (fig. 2 and col. 8, lines 34-43);

*one or more databases, in communication with the server, comprising one or more non-markup language objects* (workflow data objects are stored on databases in communication with the workflow server; see fig. 2 and col. 8, line 44 – col. 9, line 45. Services are performed on non-markup language objects such as in Lotus Notes environments, see col. 7, lines 30-44);

*a workflow module that facilitates one or more object management tasks of the server, associated with the one or more non-markup language objects according to one or more predefined calendaring and scheduling functions* (col. 8, line 44 – col. 9, line 64 and col. 16, line 36 – col. 17, line 10), *wherein the workflow process notifies at least one user that at least one action is required for the one or more non-markup language objects* (col. 1, line 11 – col. 2, line 14 and col. 13, line 39 – col. 14, line 21).

4. As to claims 2, 9, 19, and 22, Flores teaches the system, method and electronic storage medium, as applied above, wherein the workflow module performs the one or more tasks based on an occurrence of one or more events (the workflow system performs tasks based on occurrence of events such as workflow initiation, schedule or follow-up events; see col. 8, line 44 – col. 9, line 45; col. 13, line 39 – col. 14, line 21 and col. 15, line 15 – col. 17, line 10).

5. As to claim 3, 10, 16, 17, 23, and 26-33, Flores teaches the system, method and electronic storage medium, as applied above, wherein the workflow module distributes, routes and tracks an object according to a predetermined process (col. 5, line 13 – col. 7, line 5; col. 8, line 44 – col. 9, line 45 and col. 11, line 10 – col. 12, line 25).

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6. As to claims 4, 11, 18, and 24, Flores teaches the system, method and electronic storage medium, as applied above, wherein a notifying module notifies the system user that an action is required for the one or more objects (col. 1, line 11 – col. 2, line 14 and col. 13, line 39 – col. 14, line 21).

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-7, 12-14, 20 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flores et al., US Pat. No. 6,073,109, as applied above, in view of Leone, US Pat. No. 5,745,360.

8. As to claims 5, 12, 20, and 25, Flores teaches the invention substantially as claimed. Flores teaches a system, method and electronic storage medium for maintaining a workflow system on a computer network.

However, Flores does not explicitly teach implementation of the system over the internet wherein a translator for translating non-markup language objects into markup language format is provided. Flores does teach interoperability among different platforms and the use of utilities from third party developers (See Flores, col. 1, lines 52-65).

In the same field of endeavor, Leone teaches a dynamic hypertext link converter system wherein non-hypertext documents are translated into hypertext documents in order to provide access to legacy databases (See Leone, col. 1, line 5 – col. 2, line 19). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the method of translating a non-markup language object to a markup language object for the purpose of enhancing interoperability of legacy systems to operate over the internet.

9. As to claims 6 and 13, Flores-Leone teaches a system, method and electronic storage medium having a client/server system comprising a HTTP server module (Leone, fig. 2 and col. 4, lines 6-45).

10. As to claims 7 and 14, Flores-Leone teaches a system, method and electronic storage medium having a client/server system comprising a non-markup language server module (non-markup language processing functionality resides on HTTPD server 3; Leone, col. 4, lines 6-45).

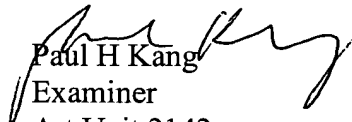
### ***Response to Arguments***

Applicant's arguments with respect to claims 1-33 have been considered but are moot in view of the new ground(s) of rejection. The Applicant argued in substance that the prior art of record failed to teach the newly added features "calendar and scheduling function." The new grounds of rejection teaches these features.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H Kang whose telephone number is (703) 308-6123. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Powell can be reached on (703) 305-9703. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
Paul H Kang  
Examiner  
Art Unit 2142

March 7, 2003